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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

RIMELL, SAMUEL G

ART UNIT PAPER NUMBER

2175

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/288,856

Applicant(s)

NAGATSUKA ET AL.

Examiner

Sam Rimell

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 7-25 and 42-49 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-11, 13, 42, 43 and 45 is/are rejected.
- 7) ☒ Claim(s) 12, 14-25, 44 and 46-49 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____


SAM RIMELL
PRIMARY EXAMINER

Art Unit: 2175

Response to Election with Traverse: In the election of January 16, 2003, applicant elects claims 1-3, 7-25 and 42-49. Applicant traverses the election by stating that the election requirement is not required and the examination of all claims would not place undue burden on the Examiner since there are overlapping search areas. The search areas identified by the Examiner are in two completely different classes, so there is no basis for assuming that they overlap. The restriction requirement is sustained.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 7-11, 13, 42, 43, 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Numata (U.S. Patent 5,943,669).

Claim 1: Reference is made to FIG. 11, and its associated discussion at col. 5, line 42 through col. 6, line 28. ~~Numata discloses~~ Numata discloses inputting means (document storage section 1); designating means (classification unit designation section 2) which designate specific sections of a document; converting means (fundamental vector generation section 4) which parses the document into the discrete sections designated by the designating means (2) and generates fundamental vectors, which are the converted data; and classifying means (classification section 8) which classifies the document using the converted data.

Claim 2: Numata discloses a document vector producing means (vector synthesis section 6 and composite vector maintenance section 7) which produces, combines and stores synthesized feature vectors that are used by the classification section in classifying the document.

Claim 3: Col. 5, line 54 states that the converting means (4) partitions the documents by means of the classification units. FIG. 12 illustrates the inclusion of symbols, such as "title", "head" and "body" which illustrate the partitioned sections.

Claim 7: See remarks for claim 1.

Claim 8: See remarks for claim 2.

Claim 9: See remarks for claim 3.

Claim 10: FIG. 1 of Numata discloses input means (1) for inputting a document, analysis means (3) for analyzing the content of a document; vector producing means (4, 5) for generating two types of document vectors; transforming function calculating means (equation 18 shown at col. 25, line 67), vector transforming means (6), classification means (8) for classifying the document and classification result storing means (9).

Claim 11: Any of the formulas (18) or (19) illustrated in col. 25, line 67 through col. 26, line 11 read as the inner product calculating means. Without detail on what formula is actually used to perform the calculation, any mathematical formula utilizing the feature vectors would read on this phrase.

Claim 13: Numata discloses vector storing means (7). The transforming function is part of the computer program that classifies the document. Thus, whichever system is storing the computer program is also storing the transforming function.

Claim 42: See remarks for claim 10.

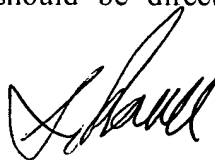
Art Unit: 2175

Claim 43: See remarks for claim 11.

Claim 45: See remarks for claim 13.

Claims 12, 14-25, 44 and 46-49 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.



Sam Rimell
Primary Examiner
Art Unit 2175